

ITEM # _____

**SEMINOLE COUNTY GOVERNMENT
LAND PLANNING AGENCY / PLANNING AND ZONING COMMISSION
AGENDA MEMORANDUM**

SUBJECT: Bill Ray Nissan – Rezone from M-1A to PCD

DEPARTMENT: Planning & Development **DIVISION:** Planning

AUTHORIZED BY: April Boswell AB **CONTACT:** Ian Sikonia **EXT.** 7398

Agenda Date 1/10/07 **Regular** ☐ **Work Session** ☐ **Briefing** ☐
Special Hearing – 6:00 ☐ **Public Hearing – 7:00** ☒

MOTION/RECOMMENDATION:

1. **RECOMMEND APPROVAL** of the request to rezone 13 ± acres from M-1A (Very Light Industrial) to PCD (Planned Commercial Development), located on the north side of Hickman Circle, approximately 1.0 mile north of the intersection of Hickman Drive and SR 46, and recommend approval of the attached Preliminary Site Plan and Development Order, based on staff findings (David Ray, applicant); or
2. **RECOMMEND DENIAL** of the request to rezone 13 ± acres from M-1A (Very Light Industrial) to PCD (Planned Commercial Development), located on the north side of Hickman Circle, approximately 1.0 mile north of the intersection of Hickman Drive and SR 46, (David Ray, applicant); or
3. **CONTINUE** the item to a time and date certain.

District – 5 Commissioner Carey

Ian Sikonia, Senior Planner

BACKGROUND:

The applicant is requesting to rezone 13 ± acres from M-1A (Very Light Industrial) to PCD (Planned Commercial Development), located 1.0 mile north of the intersection of Hickman Circle and SR 46. The Future Land Use Designation of the subject property is Industrial (IND), which allows for the requested zoning. The applicant is requesting Preliminary Site Plan approval for an automotive dealership consisting of three buildings. The proposed uses within the buildings will be for

Reviewed by:
Co Atty: <u>KFT</u>
DFS: _____
OTHER: _____
DCM: _____
CM: _____
File No: <u>Z2006-13</u>

showrooms, automobile display, inventory areas, automobile services, parts, paint and body repair and administrative and sales offices. The square footage of the buildings will consist of 47,135 square feet, 27,150 square feet, and 20,000 square feet.

STAFF RECOMMENDATION:

Staff recommends APPROVAL of the request to rezone 13 \pm acres from M-1A (Very Light Industrial) to PCD (Planned Commercial Development), located on the north side of Hickman Circle, approximately 1.0 mile north of the intersection of Hickman Drive and SR 46, and recommends approval of the attached Preliminary Site Plan, and Development Order, based on staff findings.

Attachments:

Staff Report
Preliminary Site Plan and Proposed Signage Plan
Sign Renderings
Location Map
Future Land Use and Zoning Map
Aerial Map
Approval Development Order
Rezone Ordinance
Denial Development Order (applicable if the request is denied)

Bill Ray Nissan – PCD Rezone

Rezone from M-1A to PCD

APPLICANT	David Ray	
PROPERTY OWNER	R & R Investments, LLC.	
REQUEST	Rezone from M-1A (Very Light Industrial) to PCD (Planned Commercial Development)	
PROPERTY SIZE	13 ± acres	
HEARING DATE (S)	P&Z: January 10, 2007	BCC: February 13, 2007
PARCEL ID	20-19-30-300-004A-0000 & 16-19-30-5AC-0000-048A	
LOCATION	Located on the northeast corner of US 17-92 and Spartan Drive.	
FUTURE LAND USE	IND (Industrial)	
ZONING	M-1A (Very Light Industrial)	
FILE NUMBER	Z2006-13	
COMMISSION DISTRICT	#5 – Carey	

Proposed Development:

The applicant is proposing to construct three buildings and five signs on the property for an automotive dealership. The proposed uses within the buildings will be for showrooms, automobile display, inventory areas, automobile services, parts, paint and body repair and administrative and sales offices. The square footage of the buildings will consist of 47,135 square feet (Building 1), 27,150 square feet (Building 2), and 20,000 square feet (Building 3).

ANALYSIS OVERVIEW:

ZONING REQUEST

The following are the proposed zoning regulations and parking space requirements for the subject property:

- 35' building setback from I-4
- 25' building setback from other rights-of-way
- 10' building setback from all other abutting property lines

Maximum Building Height:

- 35'

Parking Requirements:

- 106 spaces provided for Building 1
- 63 spaces provided for Building 2
- 30 spaces provided for Building 3

- Total number of 10' x 20' spaces provided is 199 for the property

Staff has reviewed the zoning regulations proposed for the site and find that the setbacks, height, and number of parking spaces proposed for the site meet the Land Development Code requirements.

PERMITTED USES

The applicant is requesting that the permitted uses for the rezone application should be as follows:

Permitted uses shall be those uses permitted in M-1, M-1A and C-3 zoning district. Special Exception uses in those districts shall require Special Exception approval from the Board of Adjustment. The following uses are prohibited: laundry and dry-cleaning plants, lumber yards, truck terminals, animal shelters, borrow operations, contractor's equipment storage yards, wholesale meat and produce distribution with meat cutting and butchering, billboards, multi-family housing, greenhouses, flea markets.

Staff feels that the proposed permitted and prohibited uses meet the intention of the PCD zoning district and appeal to the intent of the I-4 corridor and the Industrial Land Use designation on the property.

COMPATIBILITY WITH SURROUNDING PROPERTIES

The area surrounding Hickman Road has been designated for industrial uses. The proposed auto dealership will be a compatible use consistent with the Industrial Future Land Use on the property. The subject property is surrounded on all sides, except the north (I-4), by the Industrial Future Land Use designations and Industrial zoning districts. Automotive Dealerships have been traditionally developed near highway frontage due to the visibility, accessibility, and availability of larger tracts of land for industrial type uses, such as mechanical garages and auto body repair. The Nissan dealership will be consistent with the trend of development in the area, due to the Chevy, Ford, and Harley-Davidson dealerships which have been located adjacent to the I-4 corridor near SR 46.

SIGNAGE

The applicant is proposing a signage plan with a total of five signs for the Nissan dealership. Three of the signs are located in the landscape buffer adjacent to I-4 and range in height from 30' 11" to 37' 5". Section 30.1243 of the Land Development Code states, "The maximum height of the entire ground/pole sign structure shall be 15' above the elevation of the crown of the road." The three signs proposed along I-4 exceed the height standards of the Land Development Code and require sign height variances from the Board of Adjustment, in order to be taller than 15'. To address the signage issue, staff is recommending the following condition of approval contained in the attached development order:

All proposed signs must meet the signage regulations of Section 30.1244 of the Land Development Code, unless granted height variances from the Board of Adjustment. If variances are requested and approved, the maximum height of the signs may not exceed 37' 5".

SITE ANALYSIS:

ENVIRONMENTAL IMPACTS:

Floodplain Impacts:

Based on FIRM map 12117C0030 E, with an effective date of April 17, 1995, there appears to be no 100 year floodplains on the subject property.

Wetland Impacts:

Based on preliminary aerial photo and County wetland map analysis, there appears to be approximately two acres of wetlands on the subject property.

Endangered and Threatened Wildlife:

Based on a preliminary analysis, there may be endangered and threatened wildlife on the subject property. A listed species survey will be required prior to final engineering approval.

PUBLIC FACILITY IMPACTS:

Rule 9J-5.0055(3)(c)1-2, Florida Administrative Code, requires that adequate public facilities and services be available concurrent with the impacts of development. The applicant has elected to defer Concurrency Review at this time and is required to undergo Concurrency Review prior to final engineering approval.

Utilities:

The site is located in the Northwest Seminole County utility service area, and will be required to connect to public utilities. There is a 12-inch water main on that runs through the east side of the property and a 10-inch force main at the proposed cul-de-sac. The subject property is in the ten year master plan for reclaimed water. An alternative source for irrigation water, such as a shallow well, will be required until reclaimed water becomes available.

Transportation / Traffic:

The applicant proposes access onto Hickman Circle, which is classified as a local industrial subdivision road. Hickman Circle is currently operating at a level-of-service

"A" and does not have improvements programmed in the County 5-year Capital Improvement Program or FDOT 5-year Work Program.

School Impacts:

The proposed development will not generate any school impacts.

Drainage:

The proposed project is located within the Lake Monroe Drainage Basin, and has limited downstream capacity. At a minimum, the site will have to be designed to hold the water quality treatment volume (pollution abatement volume) onsite and may be required to hold additional volume due to the limited functionality of the master stormwater system serving this site. A detailed drainage analysis, including outfall condition analysis, will be required at final engineering.

Parks, Recreation and Open Space:

A minimum of 25% open space is required per Section 30.468 of the Land Development Code. The applicant is proposing to have 158,645 square feet of open space which is 29% of the property.

Buffers and Sidewalks:

The following landscape buffer requirements contained in the attached Approval Development Order will apply:

I-4 frontage buffer shall be as follows:

- The landscape buffer shall be a minimum of 15 feet.
- There shall be a 3-foot hedge, 2 canopy trees, and 2 understory trees per 100 linear feet.
- Trees shall be allowed to be grouped together to provide automobile display visibility opportunity along I-4.

Perimeter of property excluding I-4 frontage shall be as follows:

- The landscape buffer shall be a minimum of 10 feet.
- There shall be a 3 foot hedge and 3 canopy trees per 100 linear feet.

Sidewalks will not be required along Hickman Circle, because no other lots within the surrounding industrial park have been required to build sidewalks.

APPLICABLE POLICIES:

FISCAL IMPACT ANALYSIS:

This project does not warrant running the County Fiscal Impact Analysis Model.

SPECIAL DISTRICTS:

The subject property is not located within any special districts.

COMPREHENSIVE PLAN (VISION 2020):

The County's Comprehensive Plan is designed to preserve and enhance the public health, safety and welfare through the management of growth, provision of adequate public services and the protection of natural resources.

The proposed project is consistent with the following list of policies (there may be other provisions of the Comprehensive Plan that apply that are not included in this list):

- Policy FLU 2.11: Determination of Compatibility in PUD and PCD Zoning Classifications
- Policy POT 4.5: Potable Water Connection
- Policy SAN 4.4: Sanitary Sewer Connection
- Policy PUB 2.1: Public Safety Level-of-Service

INTERGOVERNMENTAL NOTIFICATION:

Intergovernmental notices were not sent; the subject property is not within or directly adjacent to any local municipality and will not impact schools.

LETTERS OF SUPPORT OR OPPOSITION:

At this time, Staff has not received any letters of support or opposition.

STAFF RECOMMENDATION:

Staff recommends APPROVAL of the request to rezone 13 ± acres from M-1A (Very Light Industrial) to PCD (Planned Commercial Development), located on the north side of Hickman Circle, approximately 1 mile north of the intersection of Hickman Drive and SR 46, and recommends approval of the attached Preliminary Site Plan and Development Order, based on staff findings.

The pylon is the main identification Sign of the Site and should be positioned on the primary approach for clear visibility to the main entrance.

A second pylon can be added if there is a secondary approach. Pylons are not to be used for Dealer Names, directional information or advertising.

The red accent bands and legs are formed pigmented red polycarbonate. These accent elements are internally illuminated with fluorescent lamps.

Sign base height and style vary depending on size of Sign and local ordinance restrictions. Standard overall heights

are as shown. Signs are typically installed to flag toward the principal frontage street. Installation is accomplished by the use of anchor bolts encased in a concrete foundation.

Basic Dimensions

1. Freeway Sign
200 sq. ft.
50' plus ht.
15' 9" wide x 2' 7" deep

2. Pole Mounted Pylon
150 sq. ft. nominal
37' 5" ht.
13' 6" wide x 2' 4" deep

3. Pylon
150 sq. ft. nominal
37' 5" ht.
13' 6" wide x 2' 4" deep

4. Pylon
100 sq. ft. nominal
30' 11" ht.
11' 2" wide x 2' 0" deep

5. Pylon
75 sq. ft. nominal
26' 2" ht.
9' 9" wide x 2' 0" deep

6. Pylon
50 sq. ft. nominal
22' 6" ht.
8' 0" wide x 1' 6" deep

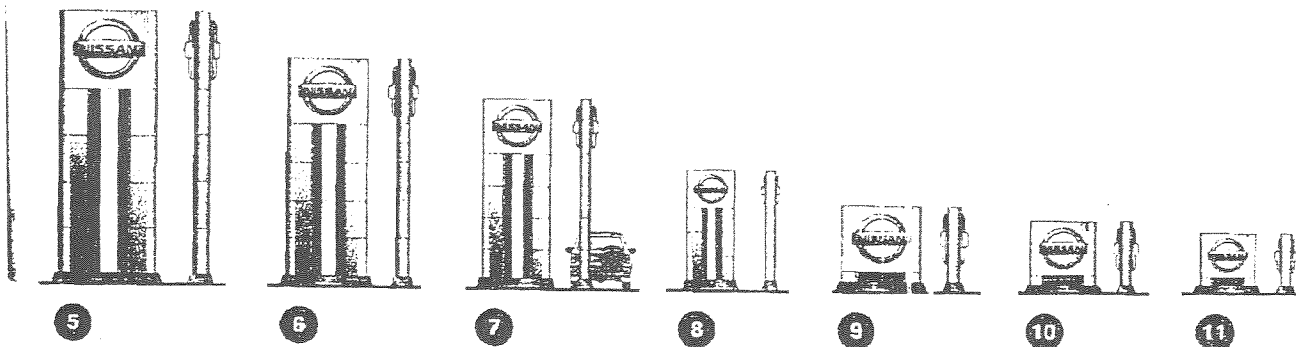
7. Pylon
36 sq. ft. nominal
18' 10" ht.
6' 9" wide x 1' 2" deep

8. Pylon
18 sq. ft. nominal
12' 0" ht.
4' 9" wide x 1' 0" deep

9. Monument
50 sq. ft. nominal
8' 3" ht.
8' 0" wide x 1' 6" deep

10. Monument
36 sq. ft. nominal
7' 0" ht.
6' 9" wide x 1' 2" deep

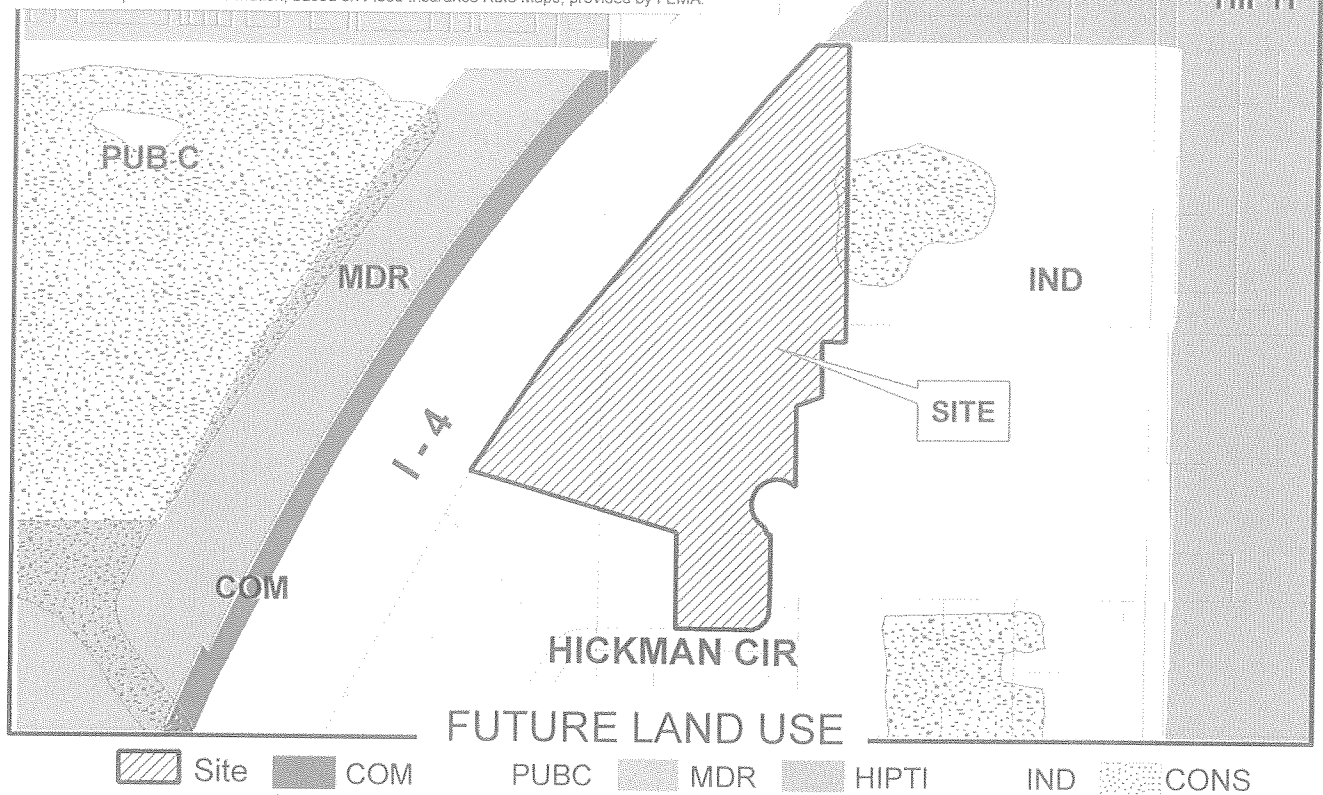
11. Monument
25 sq. ft. nominal
6' 0" ht.
5' 7" wide x 1' 0" deep





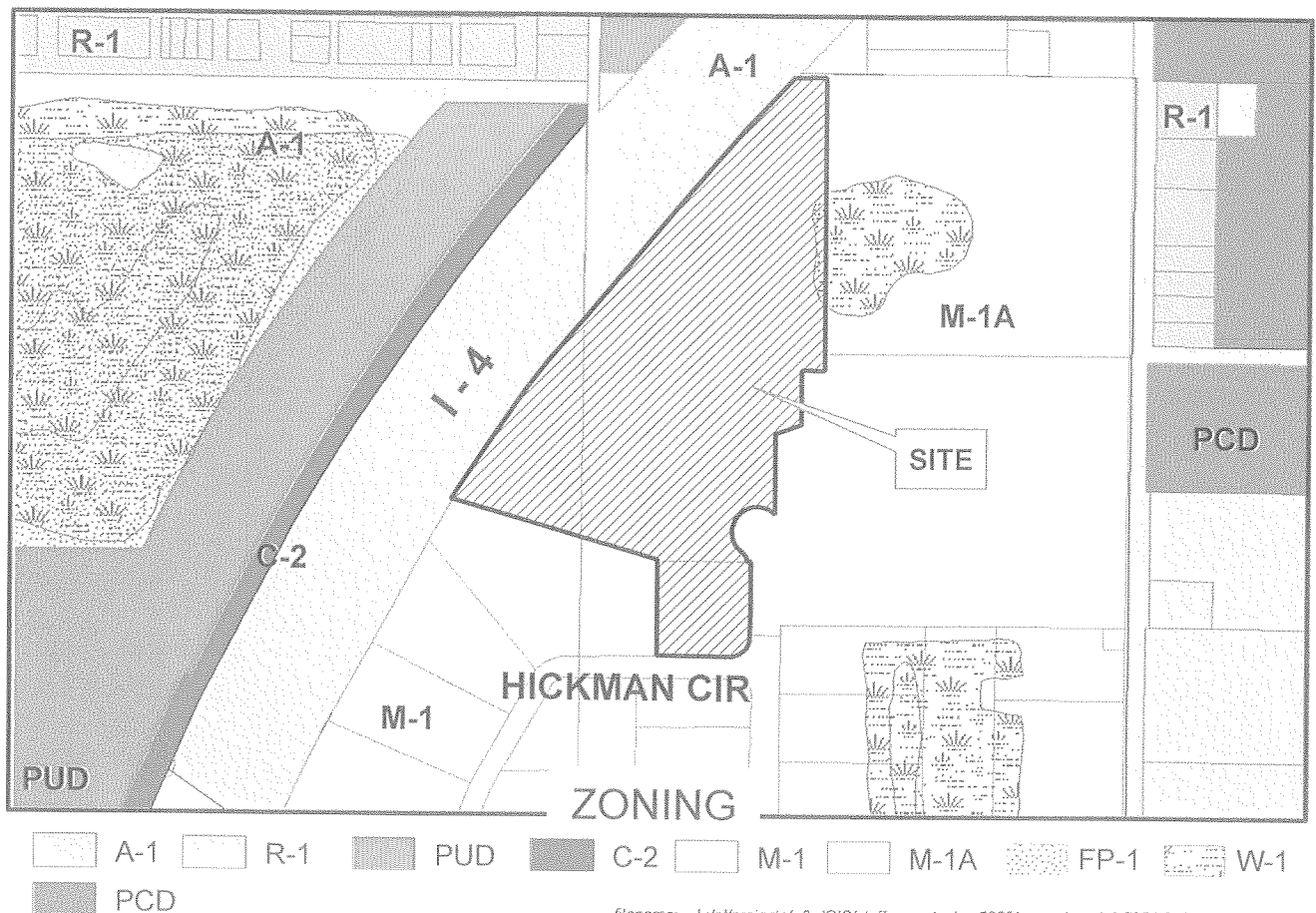
The presence of any wetlands and/or flood-prone areas is determined on a site by site basis. Boundary adjustments may be made based upon more definitive on-site information obtained during the development review process.

*Wetland information, based on National Wetland Inventory Maps, provided by SJRWMD.
Floodprone area information, based on Flood Insurance Rate Maps, provided by FEMA.



Applicant: David Ray/Bill Ray Nissan
Physical STR: 20-19-30-300-004A-0000 & 16-19-30-5AC-0000-048A(part)
Gross Acres: 13 +/- BCC District: 5
Existing Use: Vacant Industrial
Special Notes: None

FLU	Amend/ Rezone#	From	To
Zoning	Z2006-013	M-1A	PCD





Rezone No: Z2006-013
 From: M-1A To: PCD

 Parcel
 Subject Property



Winter 2006 Color Aerials

**SEMINOLE COUNTY DEVELOPMENT
ORDER**

On February 13, 2007, Seminole County issued this Development Order relating to and touching and concerning the following described property:

See Exhibit A

(The aforescribed legal description has been provided to Seminole County by the owner of the aforescribed property.)

FINDINGS OF FACT

Property Owner: R & R Investments, LLC.

Project Name: Bill Ray Nissan

Requested Development Approval: Rezoning from M-1A (Very Light Industrial) to PCD (Planned Commercial Development)

The Development Approval sought is consistent with the Seminole County Vision 2020 Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

Prepared by: Ian Sikonia
1101 East First Street
Sanford, Florida 32771

NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:

- (1) The aforementioned application for development approval is **GRANTED**.
- (2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.
- (3) The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property are as follows:
 - a. The development shall comply with the site plan attached as Exhibit B.
 - b. Total floor area shall be limited to no more than 94,285 square feet.
 - c. Permitted uses shall be those uses permitted in M-1, M-1A and C-3 zoning district. Special Exception uses in those districts shall require Special Exception approval from the Board of Adjustment. The following uses are prohibited: laundry and dry-cleaning plants, lumber yards, truck terminals, animal shelters, borrow operations, contractor's equipment storage yards, wholesale meat and produce distribution with meat cutting and butchering, billboards, multi-family housing, greenhouses, flea markets.
 - d. The proposed building setbacks are listed below:
 - 35 feet from I-4.
 - 25 feet from other Rights-of-Way.
 - 10 feet from all other abutting property lines.
 - e. There shall be a minimum of 199 parking spaces provided on site.
 - f. I-4 frontage buffer shall be as follows:
 - The landscape buffer shall be a minimum of 15 feet.
 - There shall be a 3 foot hedge, 2 canopy trees, and 2 understory trees per 100 linear feet.
 - Trees shall be allowed to be grouped together to provide automobile display visibility opportunity along I-4.
 - g. Perimeter of property excluding I-4 frontage shall be as follows:
 - The landscape buffer shall be a minimum of 10 feet.
 - There shall be a 3 foot hedge and 3 canopy trees per 100 linear feet.
 - h. All proposed signs must meet the signage regulations of Section 30.1244 of the Land Development Code, unless granted height variances from the Board of Adjustment. If variances are requested and approved, the maximum height of the signs may not exceed 37' 5".

(4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon

said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the said property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.

(5) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

(6) This Development Order shall control in the event of any conflict between the terms and conditions of the development order and the terms, conditions, or notes of any site plan or master site plan.

Done and Ordered on the date first written above.

By: _____
Carlton D. Henley
Chairman
Board of County Commissioners

OWNER'S CONSENT AND COVENANT

COMES NOW, the owner, R & R Investments, LLC., on behalf of himself and his heirs agents, successors, assigns or transferees of any nature whatsoever and consents to, agrees with and covenants to perform and fully abide by the provisions, terms, conditions and commitments set forth in this Development Order.

Witness

David Ray
R & R Investments, LLC.

Print Name _____

Witness

Print Name _____

STATE OF FLORIDA)

COUNTY OF SEMINOLE)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared, David Ray, and who is personally known to me or who has produced _____ as identification and who executed the foregoing instrument and sworn an oath.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2007.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

Exhibit A

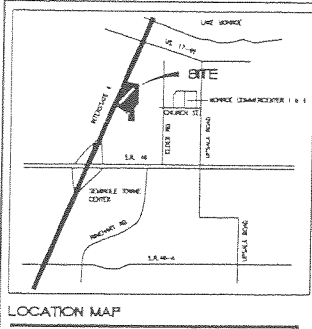
SKETCH OF DESCRIPTION FOR **SPACEPORT, U.S.A.**

Legal Description

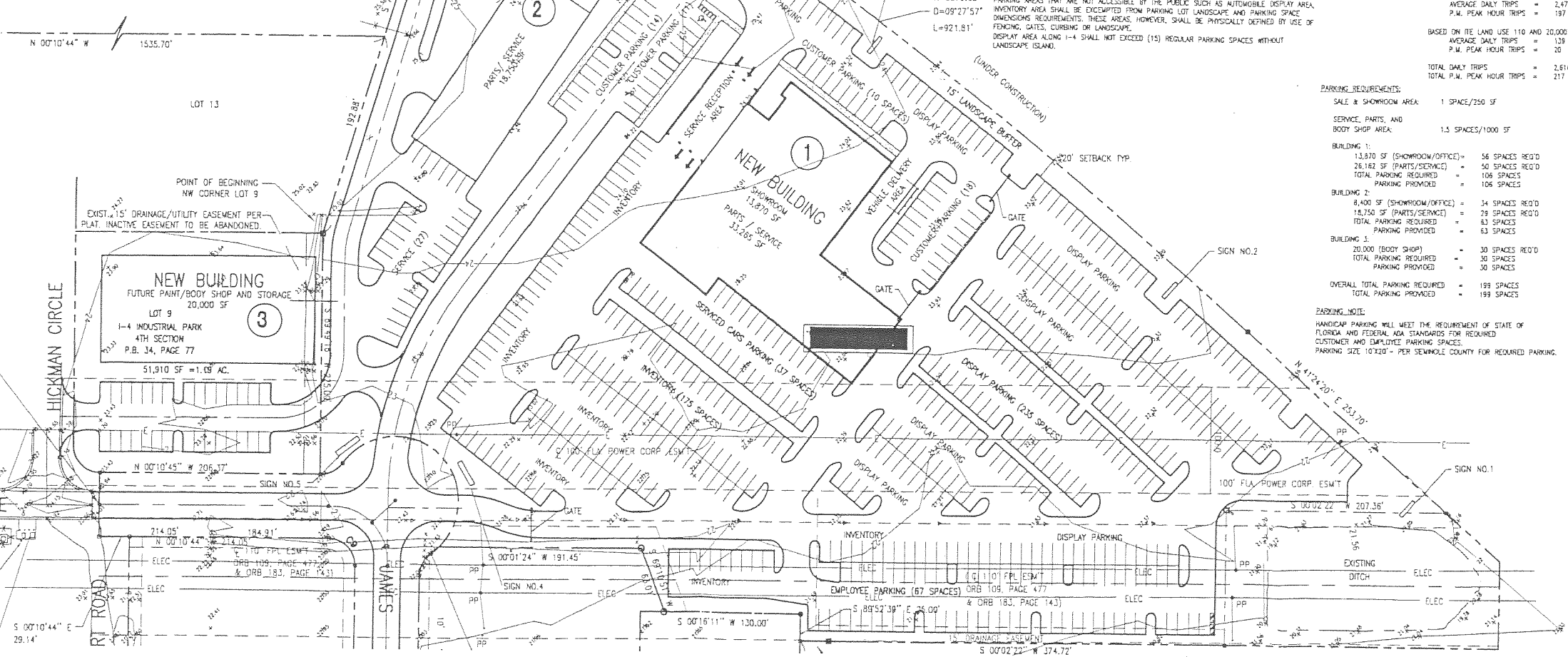
Lot 9, I-4 INDUSTRIAL PARK - 4TH SECTION, according to the plat thereof as recorded in Plat Book 34, Page 77, of the Public Records of Seminole County, Florida, AND ALSO, BEGINNING at the Northwest Corner of said Lot 9, thence run N.73°44'29"W., along the North Line of Lots 13 and 12, I-4 INDUSTRIAL PARK - 3RD SECTION, according to the plat thereof as recorded in Plat Book 25, Pages 23 and 24, of the Public Records of Seminole County, Florida, a distance of 487.08 feet to a point on the Easterly Right-of-way Line of State Road 400, said point being on a curve concave Southeasterly, having a radius of 5579.65 feet and a tangent bearing of N.31°56'23"E. at said point; thence run Northeasterly, along said Easterly Right-of-way Line and along the arc of said curve, 921.81 feet through a central angle of 09°27'57" to the Point of tangency; thence run N.41°24'20"E., continuing along said Easterly Right-of-way Line, 322.10 feet; thence run S.89°52'45"E. 81.23 feet; thence run S.00°02'22"E. 633.30 feet; thence run S.00°04'25"E. 27.00 feet; thence run N.89°52'39"W. 25.00 feet; thence run S.00°16'11"W. 130.00 feet; thence run S.69°10'51"W. 63.01 feet; thence run S.00°01'24"W. 191.45 feet to a point on a curve concave Southeasterly, having a radius of 60.00 feet and a tangent bearing of N.44°11'02"W. at said point; thence run Northwesterly, Southwesterly, and Southeasterly, along the arc of said curve, 199.99 feet through a central angle of 190°58'27" to the Point of Reverse Curvature of a curve concave Southwesterly and having a radius of 25.00 feet; thence run Southeasterly, along the arc of said curve, 23.99 feet to the Northeast Corner of said Lot 9; thence run S.89°49'16"W. 225.00 feet to the Point of Beginning. Said parcel contains 13.0997 acres, more or less.

EXHIBIT B

Preliminary Site Plan



I-4 INDUSTRIAL PARK - 3RD SECTION
PLAT BOOK 25, PGS 23 AND 24



TAX PARCEL ID. NO. 20-19-30-200-2044-0000

DEVELOPMENT INFORMATION

LAND OWNER: R&R INVESTMENTS, LLC, MR. DAVID RAY
2724 N. US 17-92
LONGWOOD, FLORIDA 32750
PH. 407-831-1318

DEVELOPER: BILL RAY NISSAN, MR. DAVID RAY
2724 N. US 17-92
LONGWOOD, FLORIDA 32750
PH. 407-831-1318

PLANNERS/ENGINEERS: SK CONSORTIUM, INC., MR. CAS SUNKOWSE
1053 N. ORLANDO AVE., SUITE 300, WATLAND, FL 32751
PHONE (407) 929-4288

SURVEYOR: KITHEN SURVEYING, MR. BLAIR KITHEN
2587 SANDHILL AVE., SANFORD, FL 32772
PH. 407-322-2000

EXISTING SITE DATA

TOTAL SITE AREA: 12.37 ACRES (539,080 SF)
EXISTING LAND USE: VACANT
EXISTING ZONING: M-1, INDUSTRIAL

SURROUNDING LAND USE:
NORTH: INTERSTATE 4
EAST: FOOT DETENTION POND, I-4 INDUSTRIAL PARK
STORMWATER POND, LOT 5 AND JAMES WESLEY LN.
INTERSTATE 4
LOT 13 OF INDUSTRIAL PARK AND HICKMAN CIRCLE

WEST: M-1, INDUSTRIAL
SOUTH: M-1, INDUSTRIAL
SURROUNDING ZONING: M-1, INDUSTRIAL
NORTH: M-1, INDUSTRIAL
EAST: M-1, INDUSTRIAL
SOUTH: M-1, INDUSTRIAL
WEST: M-1, INDUSTRIAL

FUTURE LAND USE DESIGNATION: INDUSTRIAL

EXISTING SOILS: PER SOIL SURVEY OF SEMINOLE COUNTY, FLORIDA - USDA SOIL CONSERVATION SERVICE, EXISTING SOIL AN ENTIRE SITE IS EUGALUE.

ACCESS: THE PROPOSED DEVELOPMENT WILL BE ACCESSIBLE THROUGH JAMES WESLEY LANE AND HICKMAN DRIVE.

EXISTING DRAINAGE PATTERN:

THE SITE IS RELATIVELY FLAT AND SLOPES TOWARD THE EAST. GROUND COVER CONSISTS OF OPEN FIELD, SHRUBS, SCATTERED TREES. THE HIGHEST ELEVATION IS APPROXIMATELY 25' AND THE LOWEST IS APPROXIMATELY 20'. THE ENTIRE PROPERTY IS ZONED "M-1" ACCORDING TO FLOOD INSURANCE MAP PANEL NUMBER 12117C0030E, MAP DATE APRIL 17, 1985.

THE ENTIRE SITE IS LOCATED WITHIN I-4 INDUSTRIAL PARK. STORMWATER RUNOFF GENERATED BY NEW DEVELOPMENT WILL BE HANDLED OFF-SITE AS PART OF A MASTER STORMWATER MANAGEMENT SYSTEM.

PROJECT SIGNS

THREE MONUMENT SIGNS SHALL BE ALLOWED ALONG I-4 FOR THE PROPOSED AUTOMOBILE DEALERSHIP. SIGNS NO. 1, 2, AND 3, SHALL BE COMPATIBLE AND SIMILAR TO EXISTING SIGNS AT THE CURRENT BILL RAY NISSAN DEALERSHIP FACILITY ON US-17-92 (THESE SIGNS INCLUDE MAIN BRAND SIGN, PRE-OWNED VEHICLE SIGN, AND TRUCK SIGN). APPROXIMATE SIGN DIMENSIONS SHALL BE PER ATTACHED CUT SHEETS. SIGNS NO. 4 & 5 WILL BE PROJECT IDENTIFICATION/GROUND MOUNTED SIGNS. BUILDING WALL SIGN SHALL BE IN ACCORDANCE WITH SEMINOLE CO. LOC. BASIC SIGN DIMENSIONS CAN BE SUMMARIZED AS FOLLOWS:

- 1) PROPOSED SIGN NO. 1: 2' 100 SF NOMINAL, 30' 11" H, 11'-7" WIDE, 4' 3"-0" DEEP
- 2) PROPOSED SIGN NO. 2: 150 SF NOMINAL, 27'-5" H, 13'-6" WIDE, 8' 2'-4" DEEP
- 3) PROPOSED SIGN NO. 3: 4' 5' 36 SF NOMINAL, 7'-0" H, 6'-9" WIDE, 1' 1'-2" DEEP

PROPOSED DEVELOPMENT

PROPOSED LAND USE: PERMITTED USES SHALL BE THOSE USES PERMITTED IN M-1, M-1A AND C-3. SPECIAL EXCEPTION USES IN THOSE DISTRICTS SHALL REQUIRE SPECIAL EXCEPTION APPROVAL FROM THE BOARD OF ADJUSTMENT. THE FOLLOWING USES ARE PROHIBITED: LAUNDRY AND DRY-CLEANING PLANTS, UNDER VEHICLES, TRUCK REPAIRS, ANIMAL SHELTERS, BORROW OPERATIONS, CONTRACTORS EQUIPMENT STORAGE, PARTS, WHOLESALE MEAT AND PRODUCE DISTRIBUTION WITH MEAT CUTTING AND BUTCHERING, BILLBOARDS, MULTI-FAMILY HOUSING, GREENHOUSES, FLEA MARKETS, THE PROPOSED DEVELOPMENT IS INTENDED FOR AUTOMOBILE DEALERSHIP WHICH INCLUDES ASSOCIATED USES SUCH AS SHOWROOM, AUTOMOBILE DISPLAY AND INVENTORY AREAS, AUTOMOBILE SERVICES, PARTS SALES, ADMINISTRATIVE AND SVA OFFICES.

PROPOSED ZONING: PCD, PLANNED COMMERCIAL DEVELOPMENT

BUILDING AREA: 94,285 SF (84,241 SF FOOTPRINT)

FLOOR AREA RATIO: 94,285 SF / (12.37 AC. X 43,560 SF) = 0.17 : 0.5 MAXIMUM

ESTIMATED PAVEMENT AREA: 239,084 SF

TOTAL IMPERVIOUS AREA: 280,307 SF (71% SHOWN, PROPOSED 75% MAX. OR PER SURV. MASTER STORM WATER PERMIT)

TOTAL PERVIOUS AREA (OPEN SPACE): 158,645 SF (29% SHOWN, PROPOSED 25% MIN.)

PROPOSED PARKING: PER SEMINOLE COUNTY LAND DEVELOPMENT CODE WITH THE FOLLOWING EXCEPTIONS. VEHICULAR PARKING AREAS THAT ARE NOT ACCESSIBLE BY THE PUBLIC, SUCH AS AUTOMOBILE DISPLAY AREA, INVENTORY AREA SHALL BE EXCEPTED FROM PARKING LOT LANDSCAPE AND PARKING SPACE DIMENSIONS REQUIREMENTS. THESE AREAS, HOWEVER, SHALL BE PHYSICALLY DEFINED BY USE OF FENCING, GATES, CURBING OR LANDSCAPE. DISPLAY AREA ALONG I-4 SHALL NOT EXCEED (15) REGULAR PARKING SPACES WITHOUT LANDSCAPE (ISLAND).

SIGN NO. 3
R=5579.65'
D=09°27'57"
L=921.81'

SIGN NO. 2
R=1174.20'
D=253.70'

SIGN NO. 1
R=1174.20'
D=253.70'

SIGN NO. 4
R=1174.20'
D=253.70'

SIGN NO. 5
R=1174.20'
D=253.70'

SIGN NO. 6
R=1174.20'
D=253.70'

SIGN NO. 7
R=1174.20'
D=253.70'

SIGN NO. 8
R=1174.20'
D=253.70'

SIGN NO. 9
R=1174.20'
D=253.70'

SIGN NO. 10
R=1174.20'
D=253.70'

SIGN NO. 11
R=1174.20'
D=253.70'

SIGN NO. 12
R=1174.20'
D=253.70'

SIGN NO. 13
R=1174.20'
D=253.70'

SIGN NO. 14
R=1174.20'
D=253.70'

SIGN NO. 15
R=1174.20'
D=253.70'

SIGN NO. 16
R=1174.20'
D=253.70'

SIGN NO. 17
R=1174.20'
D=253.70'

SIGN NO. 18
R=1174.20'
D=253.70'

SIGN NO. 19
R=1174.20'
D=253.70'

SIGN NO. 20
R=1174.20'
D=253.70'

SIGN NO. 21
R=1174.20'
D=253.70'

SIGN NO. 22
R=1174.20'
D=253.70'

SIGN NO. 23
R=1174.20'
D=253.70'

SIGN NO. 24
R=1174.20'
D=253.70'

SIGN NO. 25
R=1174.20'
D=253.70'

SIGN NO. 26
R=1174.20'
D=253.70'

SIGN NO. 27
R=1174.20'
D=253.70'

SIGN NO. 28
R=1174.20'
D=253.70'

SIGN NO. 29
R=1174.20'
D=253.70'

PROPOSED SETBACKS:

FROM I-4: 25 FEET
FROM OTHER RIGHT-OF-WAY: 25 FEET
FROM ALL OTHER ADJUTING PROPERTY: 10 FEET

PROPOSED BUILDING HEIGHT:

35' MAXIMUM

PROPOSED UTILITIES:

SANITARY SEWER: SEMINOLE COUNTY CONNECTION TO EXISTING STUBS AS PART OF I-4 INDUSTRIAL PARK SUBDIVISION. CONSTRUCTED IN MONROE COMMERCE CENTER & (PRIVATE UTILITY EASEMENT WILL BE REQUIRED)

POTABLE WATER: SEMINOLE COUNTY CONNECTION TO EXISTING STUBS AS PART OF I-4 INDUSTRIAL PARK SUBDIVISION. ADDITIONAL FIRE HYDRANTS, IF REQUIRED, WILL BE PROVIDED TO MEET THE REQUIREMENTS OF SEMINOLE COUNTY LOC.

ELECTRICAL POWER: FLORIDA POWER CORPORATION PER PPC REQUIREMENTS

POLICE & FIRE: SEMINOLE COUNTY SHERIFF DEPARTMENT
SEMINOLE COUNTY FIRE & EMERGENCY SERVICES

PROPOSED BUFFER:

ALONG I-4: 15' LANDSCAPE BUFFER FROM PROPERTY LINE TO EDGE OF PAVEMENT (SEE LANDSCAPE CONCEPT NOTES)

FROM ALL OTHER SIDES: MINIMUM 10' LANDSCAPE BUFFER FROM PROPERTY OR RIGHT-OF-WAY LINE TO EDGE OF PAVEMENT

TRAFFIC GENERATION:

BASED ON ITE LAND USE 841 AND 47,135 SF OF AUTOMOBILE DEALERSHIP NO.1 AND 27,150 SF OF AUTOMOBILE DEALERSHIP NO.2
AVERAGE DAILY TRIPS = 2,477
P.M. PEAK HOUR TRIPS = 197

BASED ON ITE LAND USE 110 AND 20,000 SF OF PAINT/BODY SHOP
AVERAGE DAILY TRIPS = 139
P.M. PEAK HOUR TRIPS = 20

TOTAL DAILY TRIPS = 2,616
TOTAL P.M. PEAK HOUR TRIPS = 217

PARKING REQUIREMENTS:

SALE & SHOWROOM AREA: 1 SPACE/250 SF

SERVICE, PARTS, AND BODY SHOP AREA: 1.5 SPACES/1000 SF

BUILDING 1: 13,870 SF (SHOWROOM/OFFICE) = 56 SPACES REQ'D
26,162 SF (PARTS/SERVICE) = 50 SPACES REQ'D
TOTAL PARKING REQUIRED = 106 SPACES
PARKING PROVIDED = 106 SPACES

BUILDING 2: 8,400 SF (SHOWROOM/OFFICE) = 34 SPACES REQ'D
18,750 SF (PARTS/SERVICE) = 29 SPACES REQ'D
TOTAL PARKING REQUIRED = 63 SPACES
PARKING PROVIDED = 63 SPACES

BUILDING 3: 20,000 (BODY SHOP) = 30 SPACES REQ'D
TOTAL PARKING REQUIRED = 30 SPACES
PARKING PROVIDED = 30 SPACES

OVERALL TOTAL PARKING REQUIRED = 199 SPACES
TOTAL PARKING PROVIDED = 199 SPACES

PARKING NOTES:

HANDICAP PARKING WILL MEET THE REQUIREMENT OF STATE OF FLORIDA AND FEDERAL ADA STANDARDS FOR REQUIRED CUSTOMER AND EMPLOYEE PARKING SPACES.

PARKING SIZE 10'X20' - PER SEMINOLE COUNTY FOR REQUIRED PARKING.

100' FLA. POWER CORP. ESMT

EXISTING DITCH

ELEC

ELEC

ELEC

ELEC

ELEC

ELEC

ELEC

ELEC

ELEC

ELEC

ELEC

ELEC

ELEC

ELEC

ELEC

ELEC

ELEC

ELEC

ELEC

ELEC

ELEC

ELEC

ELEC

ELEC

ELEC

ELEC

ELEC

ELEC

ELEC

ELEC

ELEC

ELEC

ELEC

ELEC

LANDSCAPE CONCEPT

- LANDSCAPE SHALL BE INSTALLED PER SEMINOLE COUNTY LAND DEVELOPMENT CODE FOR REQUIRED BUFFER AND REQUIRED PARKING AREAS.
- 3' HEDGE AND 3' CANOPY TREES PER 100 LINEAR FEET WITHIN 10' WIDE AREA AROUND THE PERMETER OF THE PROPERTY SHALL BE PROVIDED WITH THE EXCEPTION OF LANDSCAPE BUFFER ALONG I-4 FRONTAGE.
- I-4 FRONTAGE BUFFER SHALL BE AS FOLLOWS:
 - 3' HEDGE, 2 CANOPY TREES, AND 2 UNDERSTORY TREES PER 100 LINEAR FEET
 - BUFFER WIDTH SHALL BE INCREASED TO 15'
 - TREES SHALL BE ALLOWED TO GROUP TOGETHER TO PROVIDE DISPLAY OPPORTUNITY ALONG I-4
- ALL INSTALLED LANDSCAPE MATERIAL SHALL MEET OR EXCEED THE MINIMUM SIZE REQUIREMENT OF SEMINOLE COUNTY LOC.

LIGHTING CONCEPT

- EXTERIOR LIGHTING FIXTURES, MOUNTING HEIGHT, AND ILLUMINATION SHALL BE INSTALLED BASED ON THE ATTACHED PHOTOMETRIC PLAN. THE PHOTOMETRIC LIGHTING PLAN DATED 7/6/06 SHALL BE INCLUDED AS PART OF THIS PCD.

PCD SITE PLAN

BILL RAY NISSAN I-4 INDUSTRIAL

BILL RAY NISSAN

SEMINOLE COUNTY

1-28-06 PCD SUBMISSION
6-20-06 REVISED PER DMC
12-20-06 REVISED SIGN/ LUS

Issue Date and Purpose
Project Number: 0569

Drawn by: NAME, DW
Checked by: M. KALANICKI
Title: APPROVED DESIGN
PCD 1

ENGINEERING
PLANNING
DESIGN
URBAN
SK Consortium, Inc.
1053 N. ORLANDO AVE., SUITE 300, WATLAND, FL 32751
TELEPHONE 407-929-4288 • FAX 407-929-1058 • E-MAIL ESK@SKCONSORTIUM.COM

AN ORDINANCE AMENDING, PURSUANT TO THE LAND DEVELOPMENT CODE OF SEMINOLE COUNTY, THE ZONING CLASSIFICATIONS ASSIGNED TO CERTAIN PROPERTY LOCATED IN SEMINOLE COUNTY (LENGTHY LEGAL DESCRIPTION ATTACHED AS EXHIBIT); ASSIGNING CERTAIN PROPERTY CURRENTLY ASSIGNED THE M-1A (VERY LIGHT INDUSTRIAL) ZONING CLASSIFICATION THE PCD (PLANNED COMMERCIAL DEVELOPMENT) ZONING CLASSIFICATION; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EXCLUSION FROM CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA:

Section 1. LEGISLATIVE FINDINGS.

(a) The Board of County Commissioners hereby adopts and incorporates into this Ordinance as legislative findings the contents of the documents titled "Bill Ray Nissan PCD Rezone."

(b) The Board hereby determines that the economic impact statement referred to by the Seminole County Home Rule Charter is unnecessary and waived as to this Ordinance.

Section 2. REZONINGS. The zoning classification assigned to the following described property is changed from M-1A (Very Light Industrial) to PCD (Planned Commercial Development):

SEE ATTACHED EXHIBIT A

Section 3. EXCLUSION FROM CODIFICATION. It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall not be codified.

Section 4. SEVERABILITY. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, it is the intent of the Board of County Commissioners that the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

Section 5. EFFECTIVE DATE. A certified copy of this Ordinance shall be provided to the Florida Department of State by the Clerk of the Board of County Commissioners in accordance with Section 125.66, Florida Statutes, and this Ordinance shall be effective on the recording date of the Development Order #06-20500003 in the Official Land Records of Seminole County.

ENACTED this 13th day of February 2007.

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
Carlton D. Henley
Chairman

**EXHIBIT A
LEGAL DESCRIPTION****SKETCH OF DESCRIPTION
FOR
SPACEPORT, U.S.A.**

Legal Description

Lot 9, I-4 INDUSTRIAL PARK - 4TH SECTION, according to the plat thereof as recorded in Plat Book 34, Page 77, of the Public Records of Seminole County, Florida, AND ALSO, BEGINNING at the Northwest Corner of said Lot 9, thence run N.73°44'29"W., along the North Line of Lots 13 and 12, I-4 INDUSTRIAL PARK - 3RD SECTION, according to the plat thereof as recorded in Plat Book 25, Pages 23 and 24, of the Public Records of Seminole County, Florida, a distance of 487.08 feet to a point on the Easterly Right-of-way Line of State Road 400, said point being on a curve concave Southeasterly, having a radius of 5579.65 feet and a tangent bearing of N.31°56'23"E. at said point; thence run Northeasterly, along said Easterly Right-of-way Line and along the arc of said curve, 921.81 feet through a central angle of 09°27'57" to the Point of tangency; thence run N.41°24'20"E., continuing along said Easterly Right-of-way Line, 322.10 feet; thence run S.89°52'45"E. 81.23 feet; thence run S.00°02'22"E. 633.30 feet; thence run S.00°04'25"E. 27.00 feet; thence run N.89°52'39"W. 25.00 feet; thence run S.00°16'11"W. 130.00 feet; thence run S.69°10'51"W. 63.01 feet; thence run S.00°01'24"W. 191.45 feet to a point on a curve concave Southeasterly, having a radius of 60.00 feet and a tangent bearing of N.44°11'02"W. at said point; thence run Northwesterly, Southwesterly, and Southeasterly, along the arc of said curve, 199.99 feet through a central angle of 190°58'27" to the Point of Reverse Curvature of a curve concave Southwesterly and having a radius of 25.00 feet; thence run Southeasterly, along the arc of said curve, 23.99 feet to the Northeast Corner of said Lot 9; thence run S.89°49'16"W. 225.00 feet to the Point of Beginning. Said parcel contains 13.0997 acres, more or less.

SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER

On February 13, 2007, Seminole County issued this Denial Development Order relating to and touching and concerning the following property described in the attached legal description as Exhibit "A".

Property Owner: R & R Investments, LLC.

Project Name: Bill Ray Nissan

Requested Development Approval: Rezoning from M-1A (Very Light Industrial) to PCD (Planned Commercial Development)

The Board of County Commissioners has determined that the request for rezoning from M-1A (Very Light Industrial) to PCD (Planned Commercial Development) is not compatible with the surrounding area and could not be supported.

After fully considering staff analysis titled "Bill Ray Nissan PCD Rezone" and all evidence submitted at the public hearing on February 13, 2007, regarding this matter the Board of County Commissioners have found, determined and concluded that the requested rezone should be denied.

ORDER

NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:

The aforementioned application for development approval is **DENIED**.

Done and Ordered on the date first written above.

**SEMINOLE COUNTY BOARD OF
COUNTY COMMISSIONERS**

By: _____
Carlton D. Henley, Chairman

EXHIBIT A LEGAL DESCRIPTION

SKETCH OF DESCRIPTION FOR SPACEPORT, U.S.A.

Legal Description

Lot 9, I-4 INDUSTRIAL PARK - 4TH SECTION, according to the plat thereof as recorded in Plat Book 34, Page 77, of the Public Records of Seminole County, Florida, AND ALSO, BEGINNING at the Northwest Corner of said Lot 9, thence run N.73°44'29"W., along the North Line of Lots 13 and 12, I-4 INDUSTRIAL PARK - 3RD SECTION, according to the plat thereof as recorded in Plat Book 25, Pages 23 and 24, of the Public Records of Seminole County, Florida, a distance of 487.08 feet to a point on the Easterly Right-of-way Line of State Road 400, said point being on a curve concave Southeasterly, having a radius of 5579.65 feet and a tangent bearing of N.31°56'23"E. at said point; thence run Northeasterly, along said Easterly Right-of-way Line and along the arc of said curve, 921.81 feet through a central angle of 09°27'57" to the Point of tangency; thence run N.41°24'20"E., continuing along said Easterly Right-of-way Line, 322.10 feet; thence run S.89°52'45"E. 81.23 feet; thence run S.00°02'22"E. 633.30 feet; thence run S.00°04'25"E. 27.00 feet; thence run N.89°52'39"W. 25.00 feet; thence run S.00°16'11"W. 130.00 feet; thence run S.69°10'51"W. 63.01 feet; thence run S.00°01'24"W. 191.45 feet to a point on a curve concave Southeasterly, having a radius of 60.00 feet and a tangent bearing of N.44°11'02"W. at said point; thence run Northwesterly, Southwesterly, and Southeasterly, along the arc of said curve, 199.99 feet through a central angle of 190°58'27" to the Point of Reverse Curvature of a curve concave Southwesterly and having a radius of 25.00 feet; thence run Southeasterly, along the arc of said curve, 23.99 feet to the Northeast Corner of said Lot 9; thence run S.89°49'16"W. 225.00 feet to the Point of Beginning. Said parcel contains 13.0997 acres, more or less.